

REMARKS

In summary, claims 1-25 are pending. Claims 1-25 are rejected under 35 U.S.C. 35 § 102. Claims 3, 6, 7, 19, 20, 22, and 23 are rejected under 35 U.S.C. 35 § 103. Applicant respectfully traverses the rejections. Claims 1, 2, 4, 8, and 16 are hereby amended. No new matter is added.

Claim Rejections - 35 U.S.C. §102

Claims 1-25 are rejected under 35 U.S.C. § 102 as being anticipated by one or more references, those references being U.S. Patent Publication 200220161718 published to Coley *et. al.*, (hereinafter referred to as “Coley”), or U.S. Patent No. 5,375,206, in the name of Hunter (hereinafter referred to as “Hunter”), or U.S. Patent No. 5,563,946, in the name of Cooper (hereinafter referred to as “Cooper”).

Each of the independent claims has now been amended with the inclusion of the structure or use of the trust store (Ref 206) found at Paragraphs [0030-0031] of Applicant’s specification and Fig. 2.

Coley, Hunter, and Cooper, whether considered separately or together, neither disclose nor suggest Applicant’s claimed invention as amended. Coley utilizes a server database accessible through the Internet, but shows no use of a trust store by the Software Licensing Service, either local or remote. Hunter shows a method for licensing software that includes local license monitor servers and vendor supplied remote license servers for providing a method of creating a common application software interface for licensing software, but again, no use or disclosure of a trust store or repository is disclosed. Cooper further does not show or disclose both the claimed trust store and license store, nor all other elements of any of the independent claims.

Applicant respectfully requests the rejection, under 35 U.S.C. § 102, of claims 1-25 to be reconsidered and withdrawn.

Claim 2, dependant on claim 1, but only rejected as anticipated over Coley, has been amended to include that the computer program and licensing component are located on a single computing device. Such basis for the amendment can be found in Fig. 2, (the entire system found on computer 110) and at paragraph [0022] of the Specification. As Coley mandates utilization of the internet or a public computer network, the computer program and licensing component founded in Coley are not located on a single computing device or computer. As such, claim 2 is not found or disclosed in Coley, and Applicant respectfully requests the rejection of claim 2, under 35 U.S.C. § 102, to be reconsidered and withdrawn.

Claim 4, dependant on claim 1, but only rejected as anticipated over Coley, has been amended to include that the licensing component by itself has no ability to cause the computer program to cease operation. Such basis for the amendment can be found in Fig. 3, (there the application determines the behavior based on the returned result – ref 308) and at paragraph [0007] of the Specification where it is stated that the license service does not define what the [Application] software can or cannot do under the right, or enforce substantive constraints on the use of the software. As Coley mandates that any software application having a licensing system client module attached will not operate unless and until the license system client module receives authority to enable the software application (Coley Paragraph [0054]), a license authorization must be received by the software and sent by the license system. Further, at Coley Paragraph [0048] if the returned license ID pointer is null, the client module 108 fails to enable the software application or disables it [Step 226]. Amended Claim 4 now recites that present license system has no such control of causing the computer program (application) to cease operation. As now amended, Claim 4 recites function that is not found or disclosed in Coley, Applicant's respectfully request the rejection to Claim 4 under 35 U.S.C. Section 102, to be withdrawn.

Claim Rejections - 35 U.S.C. §103

Claims 3, 6, 7, 19, 20, and 23 are rejected under 35 U.S.C. § 103(a) as obvious as being unpatentable over Coley in view of Hunter, and Claim 22 as well, rejected over a combination of Coley and Cooley.

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Each independent claim is amended with the inclusion of the structure or use of the trust store (Ref 206) found at Paragraphs [0030-0031] of Applicant's specification and Fig. 2. Any combination of Coley and Hunter, or Coley and Cooper, even if actually combinable and which Applicants does not believe possible, does not include use of or teach the now claimed trust store in the present invention. As such, the combinations do not include, and the references do not teach, the claimed use of a trust store for use with the licensing service and associated license store.

Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. 103 rejections of claims 3, 6, 7, 19, 20, 22, and 23.

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CONCLUSION

It is requested that the forgoing amendments, arguments, and remarks be entered, and in view thereof, it is respectfully submitted that this application is in condition for allowance. Reconsideration of this application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow this application for any reason, the Examiner is encouraged to contact the undersigned attorney to discuss resolution of any remaining issues.

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